

The United States District Court  
For the Western District  
of  
TEXAS

**FILED**

February 02, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: J. Barker  
DEPUTY

Theresa M. Farris  
plaintiff

Stephen L Farris  
plaintiff

V

Midland County,  
Defendants

City of Midland et al  
Defendants

8<sup>th</sup> Amendment  
violation  
Cruel and unusual  
punishment.

Eighth Amendment Violation.

1. punishment that is contrary to the practice of civilized society. Cruel and Unusual punishment is any punishment for a crime or other treatment of criminal that is contrary to the practices of civilized states and violates both the Eight Amendment and International Law.

A. Plaintiff had signed for a term of imprisonment 5 years, 2019-2024. Mr. Farris states that he had also witnessed in hand of his two defense attorney that he, Mr. Farris did not, in fact, owe an amount for fines, fees, court cost or restitution. Mr. Farris had been arrested September 4, 2018. Mr. Farris had a 8-9 month jail time credit before he was transferred to Middleton and subsequently to MTC Mgmt and Training Corp. in 2019. Mr. Farris witnesses the fact that there had been Fraud on the court.

Reckless discharge.

2. Federal Rules of Civil Procedure 19 states strategy for the defendants "pleading reasons for nonjoinder purges the taint for a relators existence in a bequeathed writ of assistance".
  - A. The reckless discharges of relator and administrator Subrogate relations of contempt, indirectly misrepresenting defendant Mr. Farris to "obeyances" of medical examinations. Misstated misjoinder plainly dictates the acts overtly intended by the defendants.
  - B. Third party lacks article III standing because they suffered no actual damages.
  - C. Excessive punishments are forbidden under this clause as well as the excessive fines clause. Although the determination of excessiveness is controversial.
  - D. Farris had been arrested and detained for 8 months in 2018. Third degree felony in the state of Texas for First time burglary is a (\$10,000 fine) and up to 2 yrs term of imprisonment. defendant/Plaintiff Farris is adjudged to a "term" of imprisonment 5 yrs in 2019. Parole for defendant/Plaintiff Farris expires in 1/4/2024. Farris has no added conditions since his release. Farris has not failed any urinalysis. Farris has submitted in person 15-20 urinalysis.

### Proportional Review

3 NO punishment is to be grossly disproportionate to the crime to which defines the sentence.

Exact proportion is not required.

Farris states the defendants had a intent beyond that of criminal organization. the motive had to be for financial gain, greed and corporate restructure.

Within the heavily guarded record files in the district court the defendants misused "proprietary" opinions

in pandemic fraud. Farris had suffered brain lesions and physical mutilation from an unknown entity or instrumentality of unsaid gathering.

Whitley V Albers 475 US 312

8<sup>th</sup> Amendment does not require strict proportionality between crime and sentence.

Derivation:  
proportion

Ewing V. California 538 US 11 23 2003 O'CONNOR, J  
USAGE

ATKINS V. VIRGINIA 536 US 304 312 2007

O'CONNOR, J

### Constitutional Prohibition

Whereas, prohibitions are concerning, the trial court may seek on its own discretion to limit objective factors within a proprietary analysis. Under the disposition of Client-Attorney privilege to enable regulation, the trial court, with the assistance of counsel for defendant, to suggest participation may have willfully and knowingly directed the defendant's counsel to account for act or omissions extreme and grossly disproportionate at a time interpreted for post-conviction relief.

But by the reckless discharge of defendant and pursuant to intermediary (RT) stock option for financial gain positivity rates for Farris declined, Farris' health and limbs and body were mutilated.

Texas Parental notification 1.5  
Hearings Conducted, methods of Document retrieval.  
Texas Par notification 1.5 Suggest

Recall Mandate

The nature of the powers attacked by third party  
 otis were analogous to those exercised by the  
 commission or trial Court allowing "investigation  
 and compulsion", the defendants disregarded  
 Judicial review and made for direct  
 contempt, attacking the poor and abusing  
 the helpless and defenseless, Excessiveness

Defendants conspired against plaintiff  
 For financial gain, they stole my family's  
 inherit autonomy of direction and forced  
 proscriptions poisoning my family and me.

14<sup>th</sup> Amendment Mapp v Ohio 367 US 643 81 S Ct 1684  
 6 L ed 2d 1081

Farris states the circuit court assisted contempt  
 in violation of Federal Rules of Civil Procedure 19 and  
 21. Clearly presenting by the mutilations the accuseds.  
 Failure to present issue or available relief as to  
 why a writ should issue. The acts of defendants  
 could not comply with requirements of trial court, or Court Admin.

[enable regulation relating to identification, handling and  
 disposition of dead bodies

19 GA ST UL REV 200 204-205 (2002)]

The practice of ascertaining the amount of debt by itself where several different debts are due one creditor is to articulate adjudication in the sight of an abundance of caution or prophelactic mannerism.

Recall Mandate  
Rule 21 C)3)(b) d

514 516(b) Tariff Act of 1930, shall consider unlawful act a protest not a private act of torture

measures to publish the identity of those connected of crime do not violate this limit of excessive fine.

roper v simmons  
543 us 551, 589 2005  
O'CONNOR, J

The motive of defendants to gain bargaining powers, individualize defendants credit risk as telator and not respondent, Cruelly and Unusual punishing the defendant/Plaintiff. Without the authority of objective factors.



### Excessive fines.

The plaintiff argues a judgement at September 4<sup>th</sup> 2018 for burglary of habitation and violation of protective order. max fine \$10,000

Credit risk for individuals or family does not effect real property or affect private real property where legal or equitable title is of issue. The trial did not provide for, Mandamus to issue, or prohibition third party defendants Violated grossly Const. Law, admin. Law - Plaintiff suffered physical damage since Sep 4, 2018, the rise of a Constitutional Law of question begins as the injury arises from state exhaustion of remedy and want of Jurisdiction. Frustrated purposes, sane automatisms, neurological disorders from head trauma and physical mutilations were of some reported Acts Defendant had no right whether corporeal or incorporeal to inflict mental and physical mutilation. This to say in equitable remedy they the defendants did not statutorily account for the Acts they themselves committed.

The burden of.

establishing the irreducible constitutional minimum  
that of standing to demonstrate; bears on the fact  
the defendants excuse or just cause excluding malice, actual or  
legal to further disseminate questions of diversity

Third-party burden seeks to avoid contest by contracting  
of record. Third-party lack standing because they suffered  
no actual damages.

Wilson v. Eagleson, 9 Idaho  
17, 71 P 613

Third party credit risk harmful to plaintiff safety  
plaintiff family and public opinion vested in commission.  
by the invalid wills and successions of improper venue.

FCRA externally evokes a propelling of substance  
or influences an act; a form drag or delay, furthering  
harassment or Cruel and unusual punishment.

a reason for committing an act which otherwise  
would constitute an actionable wrong or tort.

52 Am J1st torts § 85

Defendants had assumed a debt prior to the defendant/  
plaintiff arrest and had intended by the accusations to  
commit fraudulent and Meritless acts of pandemic fraud



## Inflictions of emotional distress

The imbibed quantities bill quia timet have allured in an active sense to the increased assaults

ailments or disorders thusly providing motivation to the defendants to continue predatory stalking of the weak.

As an established or settled character and away from a solution to help, to which, the insured is subject, The abrogation(s) having no reference to temporary which is new and unusual brought severe punishment.

29 Am J Rev ed Ins §1211

## Lack of Security

Introductory factors, to make whole, details comprehensively the insureds ability to negotiate aside from ongoing Judicial or trial Court proceeding providing not for a defense but unforeseen risk. Prison conditions to benefit guards is controversial.

29 Am J Rev ed Ins §1211

Disease appears in a health insurance policy. Occupational disease in a legal sense, to characterize one absent; relief is hostility.

Mutual Life Ins Co v Simpson 88 Tex 333

## Conclusion

The concept of adequacy has thus tended to become relative and the comparison more often leads to granting equitable relief than was the case.

E Allan Farnsworth, *Contract* 826 (Little Brown and Company) 1982

Subsections of Civil enforcement Erisa provision which allows plaintiffs to obtain appropriate equitable relief authorizes only that, categories of relief that were available in equity such as injunction, mandamus and restitution but not compensatory damages.

my Family never sought restitution in the matter arising September 4, 2018. Civil Enforcement affording an official guide for defendants, may at best allow a statutory right. Legal concepts were available within the trial courts discretion and as a responsibility meted out unto a term adjudged as non-binding decision.

Plaintiff, rights their would be no equitable defense to a party non-joinder or misjoinder to state the plaintiffs family intended at best legal understanding to correct incident, less any attempt for recovery or restitution. Plaintiff states no restitution had issued at the proceeding for plea bargain. Adequacy of remedy at law may suggest alternative livelihood contrary to fair notice in Farris' trial Court proceeding for civil matters at "family home"

Employee Retirement Income Security Act of 1974 § 502(a)(3)  
29 USC § 1132(a)(3) Register v. Cameron & Barkley Co.  
462 F Supp 2d 537 DSC 2006 HARPER, J.

Defendants willfully attempted to sequester themselves as party at the earliest possible time but and yet accession to the facts knowingly had not previously made arrangements for specific performance of side panel or Writ of assistance with Farris

In the absence of a valid will or will that completely disposes of decedent property to suggest exculpable material, the right to inherit property is a statutory privilege and is strictly controlled by the legislature.

Plaintiff states the defendants had reasoned amongst themselves with no affirmative action. Using Slayer Statutes in a Novel Way.

44 S.O. 2d Rev 828 855 (1999/1998)

in re estate of O'Keefe.

The defendants attempted use of a failed system against state law and laws of the United States of America. Cruelly and unusually punished Farris

For more than 3 1/2 years. his real injury and mutilated body created great amount of stress and fragmented realities forcing difficulties and neurological disorders.

Plaintiff Farris contends the nature of common senses  
(Justice Story Commentary on Equity Jurisprudence § 25-28 W.E  
Grigsby ed 1988)

the prudent obligations disproportionate to crime and sent.

Szegda v Szegda 904 A2d 1266 1273  
Conn Ct App 2006 Harper, J

The gravamen of the plaintiffs argument is that solicitous  
to her she is seeking legal and not equitable relief in this  
Action and is thus entitled to jury trial.

Defendant did not duty Damages that did not exist  
for First time burglary. Nor did he in process authorize  
or permit equitable injunctions mandatory to venue  
to apply lis pendens.

The System of circuit court and Common Law pleas  
by the expressed nature did in no way intend to sell  
the estate in a state of Succession. Frauds and schemes.

Plaintiff notice in the broad and unambiguous available  
remedy for the damages, abuses at the extensions heretofore  
when Plaintiff had been a prison inmate at private facility.

Delays and Damages suggest the threat can be  
shaped at the addressed fringes by the remedial process  
of Cerda and Soil inquiries where venue had entertained.  
FTCA does not provide equitable relief only damages.

The Midland County District Court  
For the STATE of TEXAS

Supplemental Amendment  
Special demurrer

midland County Court,

The matter foregoing in the Midland County

Court at law is demeanor civil case 181000.

The lack to show violation of a ministerial duty  
that would warrant relief Parole boards Policy Contended  
is merely a cognizable interest. Tex Code Crim Proc. Ann. art 11.073

Sierra v Morton US

Matters affecting Parole board is the condition,  
Special in nature, specify the "T" Condition. Offender  
is restraint to such a condition monitoring place of residence  
and is a V2 factor of importance.

Plaintiff states he was not presented with a "T" Comply rule  
condition violating rules of electronic monitoring. This is Supplemental  
to obtain equitable relief in Suit to expire Mandatory Supervision.  
Special conditions are not real and majority  
of conditions held extrinsically for proper admission  
are supported by factors force majeure.

The United States District  
Court for the Western District  
of  
TEXAS

NOTICE  
as adjudicative fact

Injury in fact

The defendants have insisted that they possess no knowledge of the abuse, assault, battery. Defendants is grossly seeking to obtain a statutory willfulness that is vicariously specie to the plaintiffs civil rights and Federal guarantees.

2. Unilateral expectation that does not rise to the level of a recognized interest does not warrant compensation.  
Stark Law violation.

3. The defense of truth in an action for libel or Slander - predatory stalking.

33AM JIST L & S

The element of injury-in-fact, whether; concreteness and particularity or actual and imminent is overcome by the injury-in-fact.

The adjective concrete is meant to convey real and not abstract.

A concrete injury in uniform must be "de facto" that is it must actually exist.

Blacks Law 479 (9<sup>th</sup> ed 2009)

Relief pursuant to 28 USC

FCRA or ACT

1681(e)(b)(n)(a) \$1,000 for each  
violation.

The plaintiff seeks available liquidated damages  
by the defendants failed attempts at specific  
performance from 2018-2022

Remedy at law seeks to redress procedures  
to ensure societal burdens are at ease in effect  
to all parties.

Violation of family's  
Statutory rights, compensatory in nature due the  
comparative sense allows for monetary and  
equitable relief

Plaintiff request \$1,000,000 USD. For each  
violation, in the sum of \$250,000. that occurred  
from within the dates 2018-2022.

/s/ Stephen Farris

2603 W STOREY  
Midland, TX 79701



S. Farris  
2603 W. STOREY  
Midland, TX 79701

MIDLAND TX 797

FRI 27 JAN 2023 PM



Midland District Clerk  
200 E WALL Street  
Midland, Texas 79701

RECEIVED

FEB - 2 2023

CLERK, U.S. DISTRICT CLERK  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_ DEPUTY